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I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR §1.10 on the date indicated below and addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Barbara McBrayer	<i>Barbara McBrayer</i>
Printed Name	Signature
EL439619728US	<i>July 24, 2003</i>
"Express Mail" Mailing Label No	Date of Deposit

Cygnus Docket 0235.06
Serial No: 1.53(b) of 09/911,341
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Timothy C. DUNN, et al.	Examiner:
Serial Number:	1.53(b) of 09/911,341	C. Chin
Filed:	Even date herewith	Group Art Unit:
For:	METHOD AND DEVICE FOR PREDICTING PHYSIOLOGICAL VALUES	1641

POWER OF ATTORNEY

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

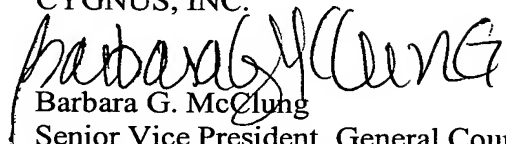
Sir:

I, Barbara G. McClung, Senior Vice President, General Counsel of the assignee, Cygnus, Inc., hereby appoint Barbara G. McClung, Reg. No. 33,113, and Gary R. Fabian, Reg. No. 33,875, as our attorneys and agents to prosecute said application, and to transact all business in the Patent and Trademark Office connected herewith.

Please address all future communications to the following address:

CYGNUS, INC.
Intellectual Property Department
400 Penobscot Drive
Redwood City, CA 94063
Phone (650) 599-2527
Facsimile (650) 599-3913

Respectfully submitted,
CYGNUS, INC.


Barbara G. McClung
Senior Vice President, General Counsel
Registration No. 33,113
Phone: 415-599-2527

Date: July 24, 2003

Cygnus, Inc.
400 Penobscot Drive
Redwood City, CA 94063

09/405,976

Cygnus Docket No. 0235.04
USSN 09/405,976
PATENT

DECLARATION FOR CONTINUATION-IN-PART PATENT APPLICATION

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention titled:

METHOD AND DEVICE FOR PREDICTING PHYSIOLOGICAL VALUES

2. The specification of which (check one)

____ is attached hereto

or

X was filed on September 27, 1999 as Application Serial No. 09/405,976
and was amended on ____ (if applicable).

3. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

4. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

5. I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Priority claimed?

Number	Country	Day/Month/Year Filed	Yes/No
--------	---------	----------------------	--------

NONE

6. I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

<u>Application No.</u>	<u>Date of Filing</u> <u>(day/month/year)</u>	<u>Priority</u> <u>Claimed</u>
NONE		Yes No <u> </u>

7. I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application No.</u>	<u>Date of Filing</u> <u>(day/month/year)</u>	<u>Priority</u> <u>Claimed</u>	<u>Status</u>
09/163,856	September 30, 1998	Yes <u>X</u> No <u> </u>	Pending
09/198,039	November 23, 1998	Yes <u>X</u> No <u> </u>	Abandoned
09/241,929	February 1, 1999	Yes <u>X</u> No <u> </u>	Pending

8. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or by imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the subject patent application or any patent issuing therefrom.

Signature: Timothy C. Dunn Date: 2/1/00

Full Name of Inventor: Timothy C. DUNN

Citizenship: US

Residence: San Francisco, California

Post Office Address: 971 Alabama Street, San Francisco, California 94110

Signature: Jayalakshmi J.

Date: 2/1/00

Full Name of Inventor: Yalia JAYALAKSHMI

Citizenship: India

Residence: Sunnyvale, California

Post Office Address: 1339 Bedford Avenue, Sunnyvale, California 94087

Signature: Ronald T. Kurnik

Date: 2/1/00

Full Name of Inventor: Ronald T. KURNIK

Citizenship: US

Residence: Foster City, California

Post Office Address: 961 Haddock Street, Foster City, California 94404

Signature: Matthew J. Lesho

Date: 2/1/00

Full Name of Inventor: Matthew J. LESHO

Citizenship: US

Residence: San Mateo, California

Post Office Address: 3045 Los Prados Street, #112, San Mateo, California 94403

Signature: _____

Date: _____

Full Name of Inventor: Jonathan James OLIVER

Citizenship: US

Residence: Oakland, California

Post Office Address: 733 65th Street, Oakland, California 94609

Signature: Russell O. Potts

Date: 2/1/00

Full Name of Inventor: Russell O. POTTS

Citizenship: US

Residence: San Francisco, California

Post Office Address: 76 Uranus Terrace, San Francisco, California 94114

Signature: Janet A. Tamada

Date: 2-1-00

Full Name of Inventor: Janet A. TAMADA

Citizenship: US

Residence: Mountain View, California

Post Office Address: 505 Cypress Point Drive, #271, Mountain View, California 94043

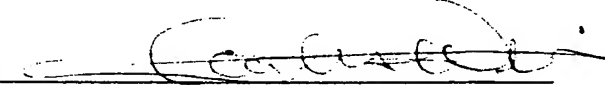
Signature: _____ Date: _____

Full Name of Inventor: Steven Richard WATERHOUSE

Citizenship: Great Britain

Residence: San Francisco, CA

Post Office Address: 1660 Bay Street, #203, San Francisco, California 94123

Signature:  Date: 2-1-00

Full Name of Inventor: Charles W. WEI

Citizenship: Taiwan, Province of China

Residence: Fremont, California

Post Office Address: 2827 Huxley Place, Fremont, California 94555

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As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention titled:

METHOD AND DEVICE FOR PREDICTING PHYSIOLOGICAL VALUES

2. The specification of which (check one)

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Signature: _____ Date: _____

Full Name of Inventor: Timothy C. DUNN

Citizenship: US

Residence: San Francisco, California

Post Office Address: 971 Alabama Street, San Francisco, California 94110

Signature: _____

Date: _____

Full Name of Inventor: Yalia JAYALAKSHMI

Citizenship: India

Residence: Sunnyvale, California

Post Office Address: 1339 Bedford Avenue, Sunnyvale, California 94087

Signature: _____

Date: _____

Full Name of Inventor: Ronald T. KURNIK

Citizenship: US

Residence: Foster City, California

Post Office Address: 961 Haddock Street, Foster City, California 94404

Signature: _____

Date: _____

Full Name of Inventor: Matthew J. LESHO

Citizenship: US

Residence: San Mateo, California

Post Office Address: 3045 Los Prados Street, #112, San Mateo, California 94403

Signature: Jonathan Oliver

Date: 20/Jan/2000

Full Name of Inventor: Jonathan James OLIVER

Citizenship: US

Residence: Oakland, California

Post Office Address: 733 65th Street, Oakland, California 94609

Signature: _____

Date: _____

Full Name of Inventor: Russell O. POTTS

Citizenship: US

Residence: San Francisco, California

Post Office Address: 76 Uranus Terrace, San Francisco, California 94114

Signature: _____

Date: _____

Full Name of Inventor: Janet A. TAMADA

Citizenship: US

Residence: Mountain View, California

Post Office Address: 505 Cypress Point Drive, #271, Mountain View, California 94043

Signature: _____

Date: _____

Full Name of Inventor: Steven Richard WATERHOUSE

Citizenship: Great Britain

Residence: San Francisco, CA

Post Office Address: 1660 Bay Street, #203, San Francisco, California 94123

Signature: _____

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Full Name of Inventor: Charles W. WEI

Citizenship: Taiwan, Province of China

Residence: Fremont, California

Post Office Address: 2827 Huxley Place, Fremont, California 94555

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Full Name of Inventor: Charles W. WEI

Citizenship: Taiwan, Province of China

Residence: Fremont, California

Post Office Address: 2827 Huxley Place, Fremont, California 94555

COPY

Cygnus Docket 0235.04
USSN 09/405,976
PATENT

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Timothy C. DUNN, Yalia JAYALAKSHMI, Ronald T. KURNIK, Matthew J. LESH, Jonathan James OLIVER, Russell O. POTTS, Janet A. TAMADA, Steven Richard WATERHOUSE and Charles W. WEI (hereinafter referred to as the assignors), residing at San Francisco, CA, Sunnyvale, CA, Foster City, CA, San Mateo, CA, Oakland, CA, San Francisco, CA, Mountain View, CA, San Francisco, CA and Fremont, CA respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in METHOD AND DEVICE FOR PREDICTING PHYSIOLOGICAL VALUES set forth in an application for Letters Patent of the United States, bearing Serial No. 09/405,976 and filed on September 27, 1999; and

WHEREAS, CYGNUS, INC., a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at 400 Penobscot Drive, Redwood City, California 94063 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in

COPY

Cygnus Docket 0235.04
USSN 09/405,976
PATENT

and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors also agree that the U.S. serial number may be entered above by the assignee or its agents upon designation of the serial number by the U.S. Patent and Trademark Office.

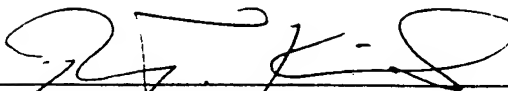
AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

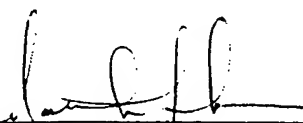
Date 2/1/00 Name of Inventor Timothy C. DUNN
Timothy C. DUNN

Date 2/1/00 Name of Inventor Yalia JAYALAKSHMI
Yalia JAYALAKSHMI

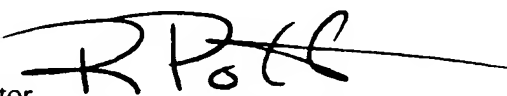
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Cygnus Docket 0235.04
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Date 2/1/00 Name of Inventor 
Ronald T. KURNIK

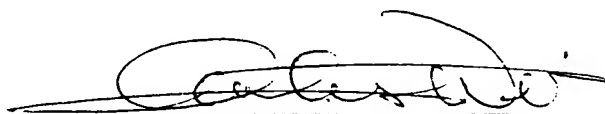
Date 2/1/00 Name of Inventor 
Matthew J. LESHO

Date _____ Name of Inventor _____
Jonathan James OLIVER

Date 2/1/00 Name of Inventor 
Russell O. POTTS

Date 2-1-00 Name of Inventor 
Janet A. TAMADA

Date _____ Name of Inventor _____
Steven Richard WATERHOUSE

Date 2-1-00 Name of Inventor 
Charles W. WEI

COPY

ACKNOWLEDGMENT

State of California

County of San Mateo

On February 1, 2000 before me, Barbara McBrayer, Notary Public, personally appeared Timothy C. Dunn, Yalia Jayalakshmi, Ronald T. Kurnik, Matthew J. Lesho, Russell O. Potts, Janet A. Tamada and Charles W. Wei, proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signature on the instrument the persons or the entities upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

Barbara McBrayer
Signature of Notary Public

COPY

Cygnus Docket 0235.04
U.S.S.N. 09/405,976
PATENT

ASSIGNMENT

JOINT^o

THIS ASSIGNMENT, by Timothy C. DUNN, Yalia JAYALAKSHMI, Ronald T. KURNIK, Matthew J. LESHIO, Jonathan James OLIVER, Russell O. POTTS, Janet A. TAMADA, Steven Richard WATERHOUSE and Charles W. WEI (hereinafter referred to as the assignors), residing at San Francisco, CA, Sunnyvale, CA, Foster City, CA, San Mateo, CA, Oakland, CA, San Francisco, CA, Mountain View, CA, San Francisco, CA and Fremont, CA respectively, witnesseth:

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AND the said assignors also agree that the U.S. serial number may be entered above by the assignee or its agents upon designation of the serial number by the U.S. Patent and Trademark Office.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date _____ Name of Inventor _____
Timothy C. DUNN

Date _____ Name of Inventor _____
Yalia JAYALAKSHMI

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Date _____ Name of Inventor _____
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Date _____ Name of Inventor _____
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Jonathan James OLIVER

Date _____ Name of Inventor _____
Russell O. POTTS

Date _____ Name of Inventor _____
Janet A. TAMADA

Date _____ Name of Inventor _____
Steven Richard WATERHOUSE

Date _____ Name of Inventor _____
Charles W. WEI

COPY

ACKNOWLEDGMENT

State of California

County of Alameda

On Jan. 22, 2000 before me, Jonathan Moellering Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

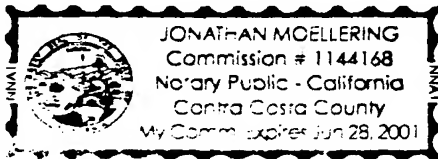
personally appeared Jonathan Oliver

Names(s) of Signer(s)

~~personally known to me~~

☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature on the instrument the person(s) or the entity(~~ies~~) upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jonathan Moellering
Signature of Notary Public

COPY

Cygnus Docket 0235.04
USSN 09/405,976
PATENT

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Timothy C. DUNN, Yalia JAYALAKSHMI, Ronald T. KURNIK, Matthew J. LESH, Jonathan James OLIVER, Russell O. POTTS, Janet A. TAMADA, Steven Richard WATERHOUSE and Charles W. WEI (hereinafter referred to as the assignors), residing at San Francisco, CA, Sunnyvale, CA, Foster City, CA, San Mateo, CA, Oakland, CA, San Francisco, CA, Mountain View, CA, San Francisco, CA and Fremont, CA respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in METHOD AND DEVICE FOR PREDICTING PHYSIOLOGICAL VALUES set forth in an application for Letters Patent of the United States, bearing Serial No. 09/405,976 and filed on September 27, 1999; and

WHEREAS, CYGNUS, INC., a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at 400 Penobscot Drive, Redwood City, California 94063 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in

and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors also agree that the U.S. serial number may be entered above by the assignee or its agents upon designation of the serial number by the U.S. Patent and Trademark Office.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date _____ Name of Inventor _____
Timothy C. DUNN

Date _____ Name of Inventor _____
Yalia JAYALAKSHMI

COPY

Cygnus Docket 0235.04
USN 09/405.976
PATENT

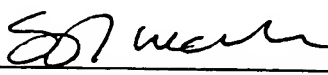
Date _____ Name of Inventor _____
Ronald T. KURNIK

Date _____ Name of Inventor _____
Matthew J. LESHIO

Date _____ Name of Inventor _____
Jonathan James OLIVER

Date _____ Name of Inventor _____
Russell O. POTTS

Date _____ Name of Inventor _____
Janet A. TAMADA

Date 2/10/00 Name of Inventor 
Steven Richard WATERHOUSE

Date _____ Name of Inventor _____
Charles W. WEI

COF

ACKNOWLEDGMENT

State of CALIFORNIA

County of SAN FRANCISCO

On 2-10-2000 before me, CHRISTOPHER T. MONICA

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared STEVEN RICHARD WATKINS

Names(s) of Signer(s)


~~personally known to me~~

proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s) or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.



Signature of Notary Public